

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**Before the Honorable Gregory B. Wormuth  
Chief United States Magistrate Judge**

**Clerk's Minutes**

**22-cv-646 KWR/GBW**

***Bender v. Allstate Indemnity Company***

**Date of Hearing: 10/27/2022  
(not recorded)**

**Attorney for Plaintiff:** Todd Bullion

**Attorneys for Defendant:** Jennifer Noya

**Proceedings:** Rule 16 Scheduling Conference

*Start Time:* 2:58 p.m.

*Stop Time:* 3:10 p.m.

**Total Time:** 12 minutes

**Clerk:** EMM

**Notes:**

- The Court made introductions.
- The Court noted that the parties had requested an early mediation and asked them how soon they would be ready for a settlement conference and how long they expected the settlement conference to take.
- Ms. Noya opined that the parties would be ready for a settlement conference in November and that a three-hour time slot would work.
- Mr. Bullion concurred.
- The Court asked the parties whether they preferred a remote or in-person format for the settlement conference.

- The parties preferred a remote format.
- Upon confirming Mr. Bullion's and Ms. Noya's availability, the Court stated that it would set a settlement conference on **November 21, 2022, at 1:30 p.m. via Zoom**. The Court informed the parties that it will hold its Order Setting Settlement Conference through October 31, 2022, to enable them to confirm their clients' or client representatives' availability. If the parties discover a conflict, they should inform the Court by sending an email with all parties on carbon copy to [wormuthproposedtext@nmd.uscourts.gov](mailto:wormuthproposedtext@nmd.uscourts.gov) and indicate alternative dates of availability.
- The Court turned to setting discovery deadlines, noting the parties' proposal to have these dates hinge off the date of an early mediation.
- The parties informed the Court that they would prefer to defer setting discovery deadlines until after the early mediation, if it is not successful.
- The Court agreed and suggested also deferring setting discovery limitations until after the settlement conference, if necessary.
- The parties agreed with the Court's suggestion.
- The Court asked the parties if there was anything else to address.
- There being nothing further to address, the Court concluded proceedings.